



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/471,287	12/23/1999	MAKOTO MIYAGI	0557-4877-2	7229

22850 7590 12/23/2004

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

BRINICH, STEPHEN M

ART UNIT PAPER NUMBER

2624

DATE MAILED: 12/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/471,287

Applicant(s)

MIYAGI, MAKOTO

Examiner

Stephen M Brinich

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3,7,9-12,15,19,21-24 and 27-34 is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,8,13,14,16-18,20,25 and 26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2624

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 2, 4, 6, 8, 14, 16, 18, & 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claims 2, 6, 14, & 18 (and dependent claims 4, 8, 16, & 20), the phrase "wherein a distance between respective threshold value setting start pixels in adjacent halftone cells is made as equal as possible" (claim 2, lines 9-10; claim 6, lines 9-10; claim 14, lines 10-11; claim 18, lines 10-11) is unclear, inasmuch as there is no clear standard for ascertaining the degree of equality required to determine that a given set of threshold value setting start pixels falls within the scope of the claim.

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Art Unit: 2624

4. Claims 1, 5, 13, 17, 25, & 26 are rejected under 35 U.S.C. 102(a) as being anticipated by Applicant's admitted Prior Art.

Re claims 1, 5, 13, 17, 25, & 26, Applicant's admitted Prior Art (Figure 8C) discloses a halftone screen in which the halftone dot cells are formed by cutting off one facing corner of each of two mutually facing square halftone threshold matrices (and leaving the remaining elements of the matrices intact) to form non-regular hexagonal threshold matrices and combining sets of the resulting hexagonal matrices into a halftone cell. Note the correspondence of Figure 8C (Applicant's admitted Prior Art) and Figure 1 (the invention as described in claims 1, 5, 13, 17, 25, & 26).

Allowable Subject Matter

5. Claims 3, 7, 9-12, 15, 19, 21-24, & 27-34 are allowed.

6. Claims 2, 4, 6, 8, 14, 16, 18, & 20 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter:

Re claims 2, 6, 14, & 18 (and dependent claims 4, 8, 16, & 20), insofar as they are understood, the art of record does not

Art Unit: 2624

teach or suggest the recited threshold value arrangements (wherein a distance between respective threshold value setting start pixels in adjacent halftone cells is made as equal as possible) in conjunction with a halftone matrix formed by cutting off facing corners of square halftone threshold matrices to form non-regular hexagonal threshold matrices and combining sets of the resulting hexagonal matrices into a halftone cell.

Re claims 3, 7, 15, & 19, the art of record does not teach or suggest the recited threshold value arrangements (set threshold values for each of the hexagonal cells constructing a single halftone cell are not the same) in conjunction with a halftone matrix formed by cutting off facing corners of square halftone threshold matrices to form non-regular hexagonal threshold matrices and combining sets of the resulting hexagonal matrices into a halftone cell.

Re claims 9, 21, 27, 29, 31, & 33 (and dependent claims 10-12, 22-24, 28, 30, 32, & 34), the art of record does not teach or suggest the recited division of hexagonal cells that are combined into a halftone matrix formed by cutting off two facing corners of square halftone threshold matrices to form non-regular hexagonal threshold matrices and combining sets of the resulting hexagonal matrices into a halftone cell.

Art Unit: 2624

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

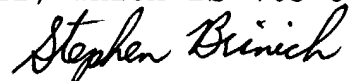
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 703-305-4390. The examiner can normally be reached on weekdays 7:00-4:30, alternate Fridays off.

Art Unit: 2624

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center 2600 Customer Service center at 703-306-0377.

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 703-308-7452.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 703-872-9306.


Stephen M Brinich
Examiner
Art Unit 2624

smb
December 21, 2004